



CITY OF MEMPHIS

COUNCIL AGENDA

January 18, 2011

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (January 4, 2011)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS

1. Presentation of the City Council 2010 Humanitarian Award to Barbara and Pitt Hyde.
Lowery

PUBLIC HEARINGS

2. RESOLUTION approving an appeal located on the east side of Germantown Parkway, 926 feet north of Bonnie Lane, containing ± 2.3 acres in an area currently governed by the Avanti North Planned Development, 8th Amendment, Part of Parcel A-2 (PD 07-339), Plat Book 238, Page 18.

Ford

Case No. PD 07-339

Applicant: TM Partners
SR Consulting, LLC – Cindy Reaves - Representative

Appellant: Cordova Leadership Council

Request: Overturn the decision of the LUCB approving a site plan for Motor Vehicle Sales

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

87 NOTICES MAILED ON JANUARY 7, 2011

3. RESOLUTION approving a street/alley closure beginning 152 feet north of the north side of Madison Avenue and +180 feet east of N. Bellevue Boulevard between Madison Avenue and Court Avenue, extending 230 feet eastward, containing 3,220 square feet.
Ford Case No. SAC 10-608

Applicant: The Embroidery Company/E. F. Spikner
The Reaves Firm – Representative

Request: Close alley right-of-way

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

16 NOTICES MAILED ON JANUARY 7, 2011

4. RESOLUTION approving a street/alley closure located on Watson Street, south of Interstate 240 East, +/-1,700 feet east of Getwell Road, extending southward approximately 466 linear feet, containing 0.54 acre.
Ford Case No. SAC 10-609

Applicant: Patricia Tanner
The Reaves Firm – Representative

Request: Close Watson Street which is currently unimproved right-of-way

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

7 NOTICES MAILED ON JANUARY 7, 2011

DIVISION OF PLANNING & DEVELOPMENT

5. RESOLUTION approving a special use permit located on the northwest side of American Way; +/-1,182.41 feet southwest of Mount Moriah Road, containing 8.11 acres in the Highway Commercial (C-H) District.
Ford Case No. SUP 10-229

Applicant: RSB Investments, LLC
The Burton Company – Representative

Request: Special Use Permit to allow warehouse storage of supermarket goods, products and merchandise

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

6. RESOLUTION approving a hotel waiver for Apple Tree Drive Extended Stay America.
Ford Case No. HMW 11-01

ACTION REQUESTED: Adopt the resolution

7. RESOLUTION approving a hotel waiver for Cordova Center Dr. Extended Stay.
Ford Case No. HMW 11-02

ACTION REQUESTED: Adopt the resolution

8. RESOLUTION approving a hotel waiver for Shelby Oaks Drive Extended Stay.
Ford Case No. HMW 11-03

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION approving a hotel waiver for Mt. Moriah Road Extended Stay.
Ford Case No. HMW 11-04

ACTION REQUESTED: Adopt the resolution

10. RESOLUTION approving a hotel waiver for Quail Hollow Extended Stay.
Ford Case No. HMW 11-05

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION approving a hotel waiver for 2424 Horizon Lake Drive Extended Stay.
Ford Case No. HMW 11-06

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCE – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCES - FIRST READING (None)

GENERAL ORDINANCES - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING

12. **ORDINANCE** to rezone the south side of Interstate 240 East, +/-1,760 feet east of Getwell Road, containing 7.62 acres in the Agricultural (AG) [FP] District, up for S E C O N D reading.

Ford

Case No. Z 10-115
Ordinance No. 5391

Applicant: Patricia Tanner
The Reaves Firm – Representative

Request: Change the zoning from AG (FP) Agricultural (Floodplain) to I-L (FP) Light Industrial (Floodplain)

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

ENGINEERING

13. **RESOLUTION** approving final plat of WOODLAND HILLS II P.D., PHASE 4 (WOODLAND LAKE DRIVE ROAD DEDICATION).

Case No. PD 08-324cc

Resolution approves the final plat located on Woodland Lake Drive at Walnut Grove Road. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

14. RESOLUTION approving final plat of SMITHART S/D.

Case No. S 10-010

Resolution approves the final plat located at the southeast corner of Poplar Avenue and Mendenhall. Cost of the required improvements to be born by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

15. RESOLUTION approving final plat of KIRBY POINT SUBDIVISION, 1ST ADDITION, SECTION B.

Case No. S 04-031

Resolution approves the final plat located on the south side of Raines Road, between Kirby and Hickory Hill. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD (None)



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REGULAR AGENDA

16. **APPOINTMENTS**

Collins

Memphis and Shelby County New Arena Public Building Authority

Appointments

Henry R. Evans (Joint Appointment)

David L. Levine (Joint Appointment)

Allison Kay Moody (Joint Appointment)

Senator Mark Norris (Joint Appointment)

GENERAL ORDINANCE -THIRD AND FINAL READING

17. **ORDINANCE** to amend Chapter 2, Division 6, Local Small Business Development and Procurement Program, up for T H I R D and F I N A L reading. (Held from 1/4)

Conrad

Ordinance No. 5389

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION

18. **RESOLUTION** to accept additional 100% Federal grant funds in the amount of \$1,054,240.70 from the Tennessee Department of Transportation for the Coordinated Traffic Signal System Year 1 project to help relieve traffic congestion and related air pollution on Lamar Avenue in the City of Memphis. Resolution also amends the FY 2011 Operating Budget by adding funds to the project (EN90003) and appropriates grant funds.

Hedgepeth

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

EXECUTIVE DIVISION

19. RESOLUTION authorizing the Office of Youth Services and Community Affairs to award \$362,583.00 in funding from approved FY 2011 General Funds Operating Budget to 14 designated 501 (c) 3 organizations; with each organization receiving their funding for the purpose of community development, youth development, human services and/or environmental development activities.

Morrison

ACTION REQUESTED: Adopt the resolution

FINANCE & ADMINISTRATION

20. RESOLUTION authorizes the Administration to sell the City's delinquent tax receivables in order to accelerate the collection of delinquent tax revenues. (Held from 1/4)

Morrison

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES

21. RESOLUTION to amend Fire Service's Capital Improvement Budget request to replace the original request with eight alternative response vehicles, one brush truck, seven ambulances, two engines and two aerial/quints trucks at a cost of \$4,508,284.00. The cost is the same as the original request. (Held from 1/4)

Lowery

ACTION REQUESTED: Adopt the resolution

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

PARK SERVICES (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

22. RESOLUTION approving the completion of plans and specifications and taking of bids for the Drain Maintenance Storage Building, CIP Project Number ST04045, as part of the FY 2011 Capital Improvement Program at an estimated construction cost of \$700,000.00 funded by G.O. Bonds General.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

23. RESOLUTION amending the Fiscal Year 2011 Capital Improvement Budget by transferring an allocation of \$56,436.00 funded by Sewer Revenue Bonds from Rehab Existing Sewers, Project Number SW02001 to Gayoso Sewer Transfer Switch, Project Number SW02087, to purchase a standardized smart switch to use as an alternative power feed in case of electrical failure for the Gayoso Sewer Pumps. Resolution also appropriates \$56,436.00 funded by Sewer Revenue Bonds in Gayoso Sewer Transfer Switch, Project Number SW02087 for a contract with Stuart C. Irby Company.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

24. RESOLUTION amending the FY2011 General Services Capital Acquisition Budget for the Public Works Capital Acquisition, Project Number GS0211E to change the equipment originally submitted. There is no change in the approved budget.

Hedgepeth

ACTION REQUESTED: Adopt the resolution

25. APPOINTMENT

Collins

Chief Information Officer

Appointment

Brenton Nair

26. INITIAL RESOLUTION authorizing the issuance of not to exceed Eighty Million Dollars (\$80,000,000.00) General Obligation Bonds of the City of Memphis, Tennessee for the purpose of financing the cost of public works projects in the City.

Conrad

ACTION REQUESTED: Adopt the resolution

27. RESOLUTION approving the execution and delivery of a Site Location and Development Agreement by and among Electrolux Home Products, Inc., and the State of Tennessee, Shelby County, Tennessee, the City of Memphis, Tennessee and the Memphis and Shelby County Industrial Development Board; consenting to the issuance of debt by the Memphis and Shelby County Port Commission to finance the City's share of costs in an amount of Twenty-Two Million Dollars (\$22,000,000.00) under such agreement; authorizing the City to enter into an agreement with the Port Commission in support of such financing; and otherwise providing with respect to the foregoing.

Conrad

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION accepting and approving the dissolution and surrender of the Memphis City Schools Charter with an effective date of March 21, 2011 and an option to reconsider if the voters disapprove the referendum.

Halbert

ACTION REQUESTED: Adopt the resolution

ADD-ONS

29. JOINT RESOLUTION of the Board of Commissioners of Shelby County and the Council of the City of Memphis, Tennessee establishing the authorization and formation of the Economic Development Growth Engine for Memphis and Shelby County.

Conrad

ACTION REQUESTED: Adopt the resolution

30. RESOLUTION BY THE MEMPHIS CITY COUNCIL APPROVING THE 2011 STATE LEGISLATIVE AGENDA WHICH INCLUDES JOINT PRIORITIES FOR THE CITY OF MEMPHIS AND SHELBY COUNTY GOVERNMENT AND REQUESTING THE SHELBY COUNTY DELEGATION TO SUPPORT, AND MEMBERS OF THE TENNESSEE GENERAL ASSEMBLY TO ENACT LEGISLATION AS PROPOSED BY THE 2011 STATE LEGISLATIVE AGENDA.

Collins

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Approved
2. Failed
3. Through 10 – Approved
11. Approved, as amended
12. Through 15 – Approved
16. Held until February 1, 2011
17. & 18 – Approved
19. Held until February 1, 2011
20. Approved
21. Approved, as amended
22. Through 27 – Approved
28. & 29 – Approved, as amended
30. Held until February 1, 2011

ACTION TAKEN ON THE MINUTES OF JANUARY 4, 2011 METTING

Approved

ACTION TAKEN ON THE MINUTES OF ITEMS #21, #22, #24, #26, #27 & #28, FROM TONIGHT'S MEETING

Approved